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THE SITUATION IN THE MIDDLE EAST

Afghanistan, Cuba, Indonesia, Jordan, Malaysia, Mauritania, Oman, Sudan, Syrian Arab Republic and Yemen: draft resolution

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 25 November 1992, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling its relevant resolutions, the last of which is 45/83 B of 13 December 1990,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, inter alia, as "the invasion of attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

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1/ A/47/673.

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan and the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel has refused, in violation of Article 25 of the Charter of the United Nations, to accept and carry out the numerous relevant resolutions of the Security Council, in particular resolution 497 (1981),

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which is under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Taking note with satisfaction of the convening of the Madrid Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) and 338 (1973), regretting, however, that the desired substantial results have not been achieved,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981) and the relevant resolutions of the General Assembly;

2. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is illegal and therefore null and void and has no validity whatsoever;

3. Declares that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever;

4. Declares all Israeli policies and practices of, or aimed at, annexation of the occupied Arab territories and the Palestinian territories occupied since 1967, including Jerusalem, and occupied Syrian Golan to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. Determines once more that all actions taken by Israel to give effect to its decisions relating to the occupied Syrian Golan are illegal and invalid and shall not be recognized;

2/ United Nations, Treaty Series, vol. 75, No. 973.

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obigations under these instruments in all circumstances;

7. Determines once more that the continued occupation of the Syrian Golan since 1967 and its de facto annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to peace and security in the region;

8. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan, and its decisions of 11 November 1991, which resulted in the effective annexation of that territory;

9. Demands once more that Israel withdraw from the occupied Syrian Golan in implementation of the relevant Security Council and General Assembly resolutions;

10. Calls upon the international community to urge Israel to withdraw from the occupied Syrian Golan and other occupied Arab territories for the establishment of a just, comprehensive and lasting peace in the region;

11. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).